



Meeting Notes TEMPLATE
Drinking Water Advisory Group
September 14, 2020
Attendees 130

Agenda Item	Notes
2. PFAS Overview Brian Walsh, Policy and Planning Section Manager	<p>NOTE: Informal comment period for PFAS and Lab Rule rulemaking. Check the Rulemaking webpage for more information. We do not respond to informal comments. You can send comments to these emails: PFAS rule to PFAS@DOH.WA.GOV or Lab rule to LABRULE@DOH.WA.GOV.</p> <ul style="list-style-type: none">PFAS is found in common everyday stain resistant, water resistant, flame retardant objects that we use.In WA—military bases, manufacturing, fire training centers, spill sites, smelters, and civilian airports.PFAS family of chemicals are persistent and don't easily break down.How does PFAS get into drinking water?<ul style="list-style-type: none">Firefighting foam (aqueous film-forming foam or Triple F) sinks into groundwater, runoff into surface water, washes with rain into aquifers.PFAS in the news since 2016, found in residential drinking water. Mostly around military bases and fire training centers.EPA conducts Unregulated Contaminant Monitoring Rule (UCMR) 3 testing to understand occurrence and magnitude of PFAS problem.Many wells near military bases and fire training centers still need to be tested for complete picture.PFAS Chemical Action Plan Advisory Committee. Formed in 2016.<ul style="list-style-type: none">Work can include recommendations on caps, rules, etc.70 parts per trillion is health advisory level.Four goals:<ul style="list-style-type: none">Ensure safe drinking water.Manage enviro contamination.Reduce PFAS in products.Understand and manage PFAS in waste.Statewide Chemical Action Plan.<ul style="list-style-type: none">60-day pub comment period.Agency's review and consideration.Final CAP in spring 2021. Done through Ecology.State action timeline:<ul style="list-style-type: none">Military testing, 2016; DOH CAP, 2017; Ecology and DOH issue interim cap, 2018; Legislature passes safer products for WA act, 2019; seeking input on draft rule process, 2020.Rulemaking process: petition for state standards. SBOH accepted petition with considerations. SAL vs. MCL; which PFAS to include, action levels, addressing PFAS mixtures, update lab rule. <p>Questions</p>



	<p>Q: Will we receive a copy of webinar slides? A: Yes, they're posted on the meeting page at doh.wa.gov/DrinkingWaterAdvisoryGroup.</p>
<p>3. Toxicology Discussion Barb Morrissey, Speaker Title</p>	<ul style="list-style-type: none">Health Concerns in lab animals and in humans. Increased cholesterol and serum liver enzymes, reduced immune response to vaccines, reduced growth and altered development. Blood pressure problems during pregnancy, reduced thyroid hormone levels. Increased risk of tumors—mostly benign in liver, pancreas, and testes in humans.Still active area of health research, continuing to learn new things. Other state: Minnesota, New Hampshire, Michigan.Approach to developing SALs for PFAS. Build from existing assessments, review newer to EPA, Toxic Substances and Disease Registry.Recommended health protective values and SALs.Bioaccumulation in Airway Heights vs national background levels is much higher.SALs are health protective—doesn't take cost of mitigation into account, where an MCL does. Set at a level in water expected to be without appreciable health effects over a lifetime of exposure.Draft SALs for PFAS in drinking water. PFBS revised from 1,300 to 860.PFBS SAL revision. Revised to include infant intake of DW.Other comments on draft SALs. Regulating PFAS as a class, science not there yet.Over 3,000 types of PFAS. May be looking at a class limit. Might have individual limits on certain ones. May have a catch-all number that just says, "the total can't exceed this level." <p>Questions</p> <p>Q: There are over 3K type of PFAS, could we be looking at a class limit AND individual limits? A: Not at this point. At the federal level maybe. Still collecting info and may group into subclasses and regulate that way, similar to dioxins, others.</p> <p>Q. Are all five PFAS with proposed SALs eight-carbon chain or do some have fewer carbons? A: PFAS is a four-carbon chain and is not as bio-accumulative as the others, eight carbons and higher are highly bio-accumulative.</p>
<p>4. PFAS Monitoring Sophia Petro, SWRO Chemical Water Quality Program Manager</p>	<ul style="list-style-type: none">Initial monitoring requirements for PFASCommunity and nontransient noncommunity water systems: initial and ongoing monitoring requirement once every three years. Transient noncommunity water systems monitor only if located near known or suspected sites of PFAS contamination as directed by DOH.<ul style="list-style-type: none">Private wells under purview of LHJs.Public water system means if you serve the public, not if owned publicly or privately.Increased requirements Low Med High.



- Roadmap for waiver models developed later.
- ◆ Ongoing monitoring frequency, low: sample one every three yrs. Med: sample annually. High: Sample quarterly.
- ◆ Six draft SALs.
- ◆ Public notice requirements. Technical changes: Inform customers about Health effects; what doing to address issue; how consumers can reduce exposure/protect self. Comm WS w/detection: include information on detected PFAS in annual CCR.

Questions

Q: If a Small Group A PWS (like ours with 33 homes) chooses to test for PFAS now, will it get credit for the upcoming three-year PFAS monitoring requirement? **A:** Yes, rule has option for grandfathering as long as you meet state reporting levels, we accept samples early on. Monitoring consistent, being transparent and putting in rule. Yes get credit.

Q: What is considered low, medium, and high? Will all the contaminants with SALs have defined limits for each of the above category? **A:** Low less than or equal to 20% of the action level, medium between 20% and 80% of the SAL, high is 80% or greater than SAL.

Q: Will DOH provide language for notifications regarding the health effects?

A: Regarding health effects, yes, there is something in section 72012 for detections. Will be in draft plan for water systems.

Q: Will there be monitoring exemptions or waivers for consecutive water systems? **A:** Are waivers for consecutive systems? This is a source requirement. If you don't have your own source, you won't be required to do source monitoring. Just like you're not required to do source monitoring for IOCs, VOCs, and SOCs.

Q: After a detection, is the number of samples required on your slide be in addition to the initial sample? **A:** Yes. If you're in that low category, do a confirmation sample and we'll average the two results. You'll then sample once per year if it's consistently low. If it moves higher, you'll have to increase sampling.

Q: is bottled water sampled for PFAS. **A:** yes on some on the East coast, it was found and dealt with. Legitimate concern. If source hasn't been tested, in same boat as other water sources. Don't know until we test.

Q: There was nothing in the recent Seattle Public Utilities Consumer Confidence Report regarding PFAS is that because none was detected or because they're not testing? **A:** SPU is best to answer this. Yes Seattle not required to sample, so not included in CCR. **Lynn Kirby:** tested for six PFAS and 14 investigative compounds, did not have detectable levels. Had detection in well that was not in production. So not served. CCR represents what's served to customers.

Q: Which PFAS test (below) will Group A PWSs be required to do? (1) Short List—6 UCMR3 Compounds (including PFOA & PFOS) OR (2) Extended List—



	<p>14 Compounds, including the Short List 6 ? A: Nina will address in her presentation.</p> <p>Q: Are more laboratories in WA seeking state accreditation for PFAS analysis?</p> <p>A: Nina will answer in her presentation.</p> <p>Statement: Consumer Union has just completed a study of commercial bottled water and will be releasing that data this year.</p> <p>Statement: Folks can contact WA Laboratory accreditation to find a lab. Nina will address in her presentation.</p>
<p>5. Lab Rule Process Nina Helpling, Lab Liaison</p>	<ul style="list-style-type: none">◆ Accommodate PFAS rules. Adopted May 2018. Unusual to reopen. Technical changes, clarification, etc.◆ Tech changes: Updated definitions for terminology/units of measure. Added requirements about PWS notification when subcontracting out samples. Added after-hours contact info. Changed chronic contaminant reporting from 45 business days to 30 calendar days. Lowered chloride from 20mg/L to 2mg/L. Lowered sulfate from 50mg/L to 2mg/L. Removed fluoranthene reporting requirements. Updated enforcement terminology to follow new ODW guidelines. Changed “analyte” to “contaminant.”◆ PFAS specific changes: only 14 contaminants will be used when analyzing for PFAS. Waiver◆ PFAS specific notifications. Tier numbers pulled for PN piece, based lab requirements. Greatest public health threat—we need to know right away. Summarized changes so far.◆ Section 65, has labs do notifications to public water systems and department for coliform hits, MCL exceedance, and things like that.◆ Section 75, reporting, is the biggest change. Shortened the required reporting time for chronic contaminants from 45 business days to just 30 calendar days. DOH required to send EPA compliance reports about 45 days after compliance period ends. <p>Q: What about L402 which has more contaminants than the 533 method. We utilize that method every six months. A: We’ll accept 533 and the 537.1 method as they’ve been approved for drinking water. As new methods are approved we will update our requirements.</p> <p>Q: EPA 537 Rev 1.1 is not an acceptable method? A: No, it will not be only 537.1, which came out around 1 Nov 2011, and was recently updated at 533.</p> <p>Q: What if the labs run both 537.1 and 533? A: Typically, most labs will only run one method. Make sure your certified to run everything that you can.</p> <p>Q: The local PFAS testing lab offers EPA 537.1 (Extended List—14 Compounds, including the Short List 6). You had mentioned EPA 533.1. Will the 537.1 PFAS test suffice to qualify for a waiver? A: If you’re certified to run all analytes plus the additional four, then yes, they will qualify for a waiver.</p> <p>Q: Sorry if you mentioned this, but will the lowered SRLs for the 2 inorganics have implications for reporting these in the CCR? A: Yes, that will have implications bc we require WS to report detections. Even though secondary</p>



	<p>MCLs, detections would need to be listed in CCR even though no health affects.</p> <p>Q: So just to clarify, 11CI-PF3OUdS, 9CL-PF3ONS, ADONA and HFPO-DA are part of the required list but PFTRDA, PFTA, NETFOSAA and NMEFOSAA are considered “additional” analytes? A: Only required are both methods can run. If run one, then run other with particular methods.....</p>
<p>6. Rulemaking and PFAS Jocelyn Jones</p>	<ul style="list-style-type: none">◆ MCL Considerations: how pay for treatment, concern MCL needed for funding. Want certainty. Want process for MCL development in rule.◆ Funding treatment for PFAS. PFAS contamination is eligible condition for DWSRF funding. Ecology also working on grant funding.◆ Will move forward with cleanup standards once rule and both state and federal requirements established for responsible parties to address contamination.◆ State SAL superseded if EPA adopts an MCL. DOH evaluating to determine if MCL protective enough for SBOH. SBOH start rulemaking for state MCL if determined necessary.◆ Draft Rule changes based on comments. Changed PFBS SAL to address concern about infant exposure. Included process to adopt MCLs. Addressed what happens if◆ Rulemaking Timeline. In red. Can see where we are now. Moving forward with both rules. Two more weeks to submit informal comments. Address here: PFAS@doh.wa.gov or LABRULE@doh.wa.gov. Will use comments to adjust rule language, but we don’t reply to informal comments. Formal public hearing in early 2021—board will give approval quick overview. Anticipate adoption of rule in summer 2021. <p>Q: When will we be required to start sampling? A: Sophia Petro—sample early. If you think you’re at risk, sample ahead of time. But that’s up to you. A: Nina Helpling—Most labs not reporting down to the levels we require, if you do test early see if the lab can meet reporting requirements so you can get future credit for it. A: Sophia Petro—It will be grandfathered in. The first three-year compliance interval will be from 2023 to 2025. Everyone will have to be done by December 31, 2025.</p> <p>Q: The Surface Water group was mentioned earlier. Are they looking at PFAS? A: it was technical correction in the rule. Will be included in PFAS monitoring, just like other WS. Two separate things, one a tech correction.</p> <p>Q: These rules are not official/enforced until June 2021? A: yes. Adopted date, June 2021, is the official date.</p> <p>Q: What can be done to get Ecology to align government funding with the completion of rulemaking since the current program precludes PFAS due to the absence of an MCL or SAL A: Don’t know how Ecology is handling it, but DWSRF is based on availability.</p> <p>Q: Provided the rule is adopted in summer '21, what is the general treatment timeline DOH is expecting? A: Derek Pell—what’s unique, state action level not MCL, so requirement to treat on case-by-case basis. What’s relationship</p>



	<p>with customers and customer expectations? Tricky part, help support utilities, talk with customers, and take action as quickly as feasible, No authority unless contamination level high enough, may direct treatment outside of scope by state health officer. Happy to chat more derek.pell@doh.wa.gov phone 206-491-2260. Also Jocelyn.jones@doh.wa.gov</p> <p>Comment: One benefit (to early testing) is to provide additional test results for the regulators to see the extent of PFAS contamination statewide.</p>
7. DWSRF Update Scott Kugal, Cultural and Environmental Review Specialist	<ul style="list-style-type: none">Consolidation feasibility study grants and water main replacement funding apps are under review.Construction loan apps accepted 10/1 to 11/30. About \$45 million to award this year; maximum \$5 million per jurisdiction. Standard interest rate is 1.75%; subsidies available.All info posted on DWSRF webpage.Emergency rule change underway to address DWSRF planning document requirements for eligibility. WAC 246-296-100. Change effective Oct 1. One-time thing to address difficulties experienced by WS with public meetings due to COVID-19 response.Regional offices committed to making docs priority.Emergency loan funding available—rent generators, temporary treatment equipment, etc. \$500,000 per jurisdiction with 0% interest and ten-year repayment plan.Preconstruction loans available in January. All group A, not for profit, can roll into secured construction loan, includes planning docs, etc. Help with projects and planning for projects. We have \$3 million available, maximum award, two per jurisdiction of \$500,000, 0% interest rate, two-year time of performance, ten-year repayment plan.Federal infrastructure stimulus funding. Stalled for the moment. May be months before we see federal infrastructure stimulus funding.Check out doh.wa.gov/DWSRF
Additional Item	<ul style="list-style-type: none">Kim Moore, ER response planning: in army reserves, attending meetings state hazard mitigation grants. www.fema.gov/grants/mitigationState Hazard Mitigation Grant. Floodplains by design grants; support flood risk mapping assessment and planning, taking a whole ecosystem approach. FEMA funding, resilient infrastructure, and communitiesKim.Moore@doh.wa.gov
8. Agenda Ideas for next Meeting Brian Walsh	<ul style="list-style-type: none">Suggestion for an additional, future PFAS—SAL related topic: Analysis of Utility legal liability for treatment. Perhaps the AGO could examine this issue on behalf of public water systems.Send us any thoughts or comments DWInfo@doh.wa.gov